



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 24, 1997

Mr. John Steiner  
Division Chief  
City of Austin  
Law Department  
P.O. Box 1088  
Austin, Texas 78767-1088

OR97-0150

Dear Mr. Steiner:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 103318.

The Austin Police Department (the "department") received a request for a "copy of the directory of all telephone number listings for voice, fax and pagers" of the department. You assert that the requested information is excepted from required public disclosure based on Government Code section 552.108.

Section 552.108 of the Government Code excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution. Gov't Code § 552.108. This office has applied this exception to the cellular mobile phone numbers of county officials and employees with specific law enforcement responsibilities. See Open Records Decision No. 506 (1988). This is so because were these numbers publicly released, the purpose of the telephone, which is to insure immediate access to designated county officials and employees with specific law enforcement responsibilities, would be defeated. See *id.* at 2.

We agree that most of the requested telephone, fax, pager, and cellular numbers are the numbers of employees or departments with specific law enforcement responsibilities. However, not every number appears to be for an employee or department with specific law enforcement responsibilities. The exception does not cover the numbers of employees or

department who do not appear to have specific law enforcement responsibilities, for example, the personnel services division, building service division, property management division and the financial management division. Consequently, based on section 552.108, the department may withhold from disclosure only those numbers of employees or department with specific law enforcement responsibilities.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kay Guajardo". The signature is fluid and cursive, with the first name "Kay" and last name "Guajardo" clearly distinguishable.

Kay Guajardo  
Assistant Attorney General  
Open Records Division

KHG/rho

Ref.: ID# 103318

Enclosures: Submitted documents

cc: Mr. Carl Weeks  
Krueger and Associates  
815 A Brazos Street, Suite 260  
Austin, Texas 78701  
(w/o enclosures)